

AMENDMENTS TO THE DRAWINGS

The New Sheet presents additional FIGS. 31-34. FIG. 31 shows the ring having a triangular cross section with two equal length sides. FIGS. 32-34 show the ring having a triangular cross section with unequal length sides. FIGS. 31-34 are supported by the specification as originally filed.

Attachment: New Sheet

*REMARKS/ARGUMENTS**New Drawings and Drawing Objections*

The Examiner is requested to approve the accompanying new drawing sheet. The New Sheet presents additional FIGS. 31-34. FIG. 31 shows the ring having a triangular cross section with two equal length sides. FIGS. 32-34 show the ring having a triangular cross section with unequal length sides. FIGS. 31-34 are supported by the specification as originally filed. For example, the specification as originally filed contains the following sentences on page 7, lines 19-23, supporting the new figures, “[t]he bar is shown formed of a triangle which is equalateral throughout the bar length 35. However, the cross section 23 can vary throughout its length, providing it remains a triangle.”

The Office Action objects to the drawings because they “must show every feature of the invention specified in the claims.” As described above, Applicant has provided a New Sheet containing FIGS. 31-34, which are supported by the originally filed specification. The objection to the drawings is, therefore, moot in view of these new figures.

Specification Amendments

Applicant has amended the specification in view of the amendments to the drawings adding FIGS. 31-34. Descriptions of the new figures are added after page 6, line 2. In addition, the paragraph beginning at page 7, line 14, is amended to reference the new figures.

Claim Rejections

Claims 1, 2, 5, and 7-16 are pending in this application. The Office Action has rejected claims 8-11 under 35 U.S.C. § 112, first paragraph, as “failing to comply with the written description requirement.” Claims 1, 2, 5 and 7 have been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,723,044 to Pulford et al. (hereinafter, “Pulford ‘044”). Claims 1, 2, 5, and 7-11 are amended to include the term, “rigid.” Claims 12-16 are new.

A. 35 U.S.C. § 112 Claim Rejections

As discussed above, in addition to disclosing triangular cross sections that are equilateral triangles, the originally filed specification discloses that the triangular cross section may have a triangular shape other than an equilateral triangle. For example, Applicant respectfully refers the Office to the originally filed specification at page 7, lines 19-23, as quoted above. Therefore, claims 8-11 are supported by the written description as originally filed, and the 35 U.S.C. § 112 rejections of these claims should be reconsidered and withdrawn.

B. 35 U.S.C. § 102 Claim Rejections

Pulford '044 discloses an abdominal retractor having an outer ring 34. The Pulford '044 outer ring 34 is made of a soft polyurethane, polyethylene, or polypropylene material having a Shore A hardness between about 70 and 90 durometer. The ring 34 is designed to be rotatable about "its central axis X using a thumb and fingers," such that the length of a sleeve 36 may be adjusted. *See, e.g.*, Pulford '044, col. 2, lns. 54-57; col. 5, lns. 27-29; col. 6, lns. 15-19; and col. 7, ln. 55 - col. 8, ln. 3.

Applicant's amended claim 1, requires, among other features, "A *rigid* ring-like article of manufacture capable of being worn as jewelry such as a ring on a finger or wrist of a human for adornment ..." (emphasis added). Pulford '044 does not disclose a rigid ring. Furthermore, a rigid ring would not be suitable for the Pulford '044 device because a rigid ring is not capable of being rotated about "its central axis X using a thumb and fingers" as required by Pulford '044. Therefore, Pulford '044 cannot anticipate Applicant's amended claim 1, and Applicant respectfully requests that this rejection be reconsidered and withdrawn.

With respect to claims 2, 5, and 7, all of which depend directly upon claim 1, it is respectfully submitted that such dependent claims are patentable for at least the same reasons as claim 1. Moreover, each such claim recites additional features. Thus, Applicant respectfully requests that the rejections of claims 2, 5, and 7 based on Pulford '044 also be reconsidered and withdrawn.

Conclusion

Applicant respectfully submits that the patent application is in condition for allowance. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

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